



January 26, 2007

HOUSE BILL No. 1311

DIGEST OF HB 1311 (Updated January 24, 2007 11:43 am - DI 109)

Citations Affected: IC 6-2.5.

Synopsis: Sales tax exemption for college textbooks. Provides that sales of textbooks are exempt from the state sales tax if: (1) the textbooks are required for an undergraduate or graduate course at an accredited college or university; and (2) the purchaser is a student enrolled in an accredited college or university or the parent or guardian of a student enrolled in an accredited college or university

Effective: July 1, 2007.

Micon, Turner, Klinker, Robertson

January 16, 2007, read first time and referred to Committee on Education.
January 26, 2007, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.

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HB 1311—LS 6896/DI 113+



January 26, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1311

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-2.5-5-26 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 26. (a) Sales of tangible
3 personal property are exempt from the state gross retail tax, if:

4 (1) the seller is an organization that is described in section
5 21(b)(1) of this chapter;

6 (2) the organization makes the sale to make money to carry on a
7 not-for-profit purpose; and

8 (3) the organization does not make those sales during more than
9 thirty (30) days in a calendar year.

10 (b) Sales of tangible personal property are exempt from the state
11 gross retail tax, if:

12 (1) the seller is an organization described in section 21(b)(1) of
13 this chapter;

14 (2) the seller is not operated predominantly for social purposes;

15 (3) the property sold is designed and intended primarily either for
16 the organization's educational, cultural, or religious purposes, or
17 for improvement of the work skills or professional qualifications

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of the organization's members; and

(4) the property sold is not designed or intended primarily for use in carrying on a private or proprietary business.

(c) The exemption provided by this section does not apply to an accredited college or university's sales of **the following**:

(1) Books **other than textbooks exempt under section 42 of this chapter.**

(2) Stationery.

(3) Haberdashery.

(4) Supplies. or

(5) Other property.

SECTION 2. IC 6-2.5-5-42 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 42. Sales of textbooks are exempt from the state gross retail tax if:**

(1) the textbooks are required for an undergraduate or graduate course at an accredited college or university; and

(2) the purchaser is a student enrolled in an accredited college or university or the parent or guardian of a student enrolled in an accredited college or university.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1311, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 16, after "undergraduate" insert "**or graduate**".

and when so amended that said bill do pass.

(Reference is to HB 1311 as introduced.)

PORTER, Chair

Committee Vote: yeas 12, nays 0.

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